

1 **Scott S. Anders**, WSBA #19732  
scott.anders@jordanramis.com  
2 **Daniel L. Steinberg**, WSBA #30080  
daniel.steinberg@jordanramis.com  
3 **Joseph A. Rohner IV**, WSBA #47117  
JORDAN RAMIS PC  
4 1499 SE Tech Center Place, Ste. 380  
Vancouver, Washington 98683  
5 Telephone: (360) 567-3900  
Facsimile: (360) 567-3901  
6

7 *Attorneys for American Education Services*  
8

Hon. Mary Jo Heston  
Chapter: 7  
Hearing Date: July 14, 2020  
Hearing Time: 9:00 a.m.  
Response Date: July 7, 2020

9 UNITED STATES BANKRUPTCY COURT  
10 WESTERN DISTRICT OF WASHINGTON  
11 AT TACOMA

12 In re

13 ANGELA YUN DELGADO,  
14 Debtor.

Case No. 19-43978-MJH  
Adv No.: 20-04012-MJH

DECLARATION OF IN SUPPORT OF  
AMERICAN EDUCATION SERVICES'  
MOTION TO VACATE DEFAULT  
JUDGMENT

15 I, Katelynn Bias, do hereby state and declare as follows:

16 1. I am over eighteen years of age and am competent to make the statements  
17 contained herein. I make this declaration based upon my personal knowledge and I am  
18 competent to testify to the matters stated in this declaration. I make this declaration in support of  
19 American Education Services' Motion to Vacate Default Judgment entered on or about May 19,  
20 2020.

21 2. I am the Disability and Bankruptcy Processing Supervisor in the Guarantor  
22 Insurer Relations Department and held this position for eight years. I have access to the business  
23 records kept in the ordinary course that were necessary for me to have personal knowledge of the  
24 statements made in this declaration.  
25

26 3. Based on the business records of American Education Services, the Adversary

DECLARATION OF IN SUPPORT OF AMERICAN  
EDUCATION SERVICES' MOTION TO VACATE  
DEFAULT JUDGMENT - Page 1

JORDAN RAMIS PC  
Attorneys at Law  
1499 SE Tech Center Place, Ste. 380  
Vancouver, Washington 98683  
Telephone: (360) 567-3900 Fax: (360) 567-3901  
54115-78504 4823-2795-5903.1

1 Complaint and Summons filed by Ms. Delgado arrived at American Education Service's  
2 physical location on or near March 23, 2020. By that date, however, substantial personnel and  
3 staffing limitations were put in place in response to statewide restrictions that arose in the wake  
4 of the Coronavirus Pandemic. These restrictions led to almost no staff members working and  
5 processing mail in the ordinary course of business, which unfortunately also led to a delay of  
6 several weeks in processing and addressing the Adversary Complaint. By the time this matter  
7 was addressed, Plaintiff had already received an Order of Default and Judgment of Default.

8 4. As an additional complicating factor, the business records for Plaintiff's student  
9 loans have also used a different last name ("Angela Y. Motts" as opposed to the bankruptcy  
10 records, which were under "Angela Yun Delgado"). It took several additional days of processing  
11 and evaluation before we were able to discover which loans were at issue in this matter.

12 5. When the Adversary Complaint was processed and Plaintiff's name was matched  
13 to the appropriate loans, immediate efforts were made to retain local counsel to address the  
14 matter appropriately and to ask the court to set aside or vacate the Order and the Judgment of  
15 Default. By this time, however, both the Order and the Judgment had already been signed and  
16 entered by the Court.

17 6. Based on my review of the business records, Defendant American Education  
18 Services is not the owner of any of the loans discussed in the Adversary Complaint. The three  
19 loans discussed are owned by National Collegiate Student Loan Trust, and/or Towd Point.  
20 Neither of these entities were named as parties in the adversary complaint. Defendant, American  
21 Education Services holds no ownership interest in these loans, but is merely the loan servicer for  
22 the owners of the loans, the holder(s) of the note.

23 I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST  
24 OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE  
25  
26

DECLARATION OF IN SUPPORT OF AMERICAN  
EDUCATION SERVICES' MOTION TO VACATE  
DEFAULT JUDGMENT - Page 2

JORDAN RAMIS PC  
Attorneys at Law  
1499 SE Tech Center Place, Ste. 380  
Vancouver, Washington 98683  
Telephone: (360) 567-3900 Fax: (360) 567-3901  
54115-78504 4823-2795-5903.1

1 AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

2  
3 DATED this 9 day of June, 2020.

4  
5  
6 By: Katelyn Bias

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
  
DECLARATION OF IN SUPPORT OF AMERICAN  
EDUCATION SERVICES' MOTION TO VACATE  
DEFAULT JUDGMENT - Page 3

JORDAN RAMIS PC  
Attorneys at Law  
1499 SE Tech Center Place, Ste. 380  
Vancouver, Washington 98683  
Telephone: (360) 567-3900 Fax: (360) 567-3901  
54115-78504 4823-2795-5903.1

**CERTIFICATE OF SERVICE**

I hereby certify that on the date shown below, I electronically filed the foregoing **DECLARATION OF KATELYNN BIAS IN SUPPORT OF AMERICAN EDUCATION SERVICES' MOTION TO VACATE DEFAULT JUDGMENT** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Angela Yun Delgado  
PO Box 257-1689  
Olympia, WA 98507  
*Pro Se*

Kristen R Vogel  
US Attorney's Office  
700 Stewart St, Ste 5220  
Seattle, WA 98101  
206-553-7970  
Email: [kristen.vogel@usdoj.gov](mailto:kristen.vogel@usdoj.gov)  
*Attorney for US Department of Education*

Joseph W McIntosh  
James K Miersma  
McCarthy & Holthus, LLP  
108 1st Avenue South, Suite 300  
Seattle, WA 98104  
(206) 319-9049  
Fax : (206) 780-6862  
Email: [jmcintosh@McCarthyHolthus.com](mailto:jmcintosh@McCarthyHolthus.com)  
Email: [bknotice@mccarthyholthus.com](mailto:bknotice@mccarthyholthus.com)  
*Attorneys for Wells Fargo Education Financial Services*

United States Trustee  
700 Stewart St Ste 5103  
Seattle, WA 98101  
(206) 553-2000  
[USTPRegion18.SE.ECF@usdoj.gov](mailto:USTPRegion18.SE.ECF@usdoj.gov)

Mark D Waldron  
6711 Regents Blvd W, Suite B  
Tacoma, WA 98466  
253-565-5800 x101  
[Trustee@mwaldronlaw.com](mailto:Trustee@mwaldronlaw.com)  
*(US Trustee)*

DECLARATION OF KATELYNN BIAS IN SUPPORT OF  
AMERICAN EDUCATION SERVICES' MOTION TO  
VACATE DEFAULT JUDGMENT – Page 4

JORDAN RAMIS PC  
Attorneys at Law  
1499 SE Tech Center Place, Ste. 380  
Vancouver, Washington 98683  
Telephone: (360) 567-3900 Fax: (360) 567-3901  
54115-78504 4823-2795-5903.1

1  
2 I also certify the foregoing DECLARATION OF KATELYNN BIAS IN SUPPORT OF  
3 AMERICAN EDUCATION SERVICES' MOTION TO VACATE DEFAULT JUDGMENT  
4 was served via U.S. Mail on the following parties:

5 Angela Yun Delgado  
6 PO Box 257-1689  
7 Olympia, WA 98507  
8 *Pro Se*

9 Kristen R Vogel  
10 US Attorney's Office  
11 700 Stewart St, Ste 5220  
12 Seattle, WA 98101  
13 206-553-7970  
14 Email: [kristen.vogel@usdoj.gov](mailto:kristen.vogel@usdoj.gov)  
15 *Attorney for US Department of Education*

16 Joseph W McIntosh  
17 James K Miersma  
18 McCarthy & Holthus, LLP  
19 108 1st Avenue South, Suite 300  
20 Seattle, WA 98104  
21 (206) 319-9049  
22 Fax : (206) 780-6862  
23 Email: [jmcintosh@McCarthyHolthus.com](mailto:jmcintosh@McCarthyHolthus.com)  
24 Email: [bknotice@mccarthyholthus.com](mailto:bknotice@mccarthyholthus.com)  
25 *Attorneys for Wells Fargo Education Financial Services*

26 United States Trustee  
700 Stewart St Ste 5103  
Seattle, WA 98101  
(206) 553-2000  
[USTPRegion18.SE.ECF@usdoj.gov](mailto:USTPRegion18.SE.ECF@usdoj.gov)

Mark D Waldron  
6711 Regents Blvd W, Suite B  
Tacoma, WA 98466  
253-565-5800 x101  
[Trustee@mwaldronlaw.com](mailto:Trustee@mwaldronlaw.com)  
(US Trustee)

DATED: June 10, 2020.

/s/ Allyson Taylor

Allyson Taylor  
Legal Assistant to Scott S. Anders

DECLARATION OF KATELYNN BIAS IN SUPPORT OF  
AMERICAN EDUCATION SERVICES' MOTION TO  
VACATE DEFAULT JUDGMENT – Page 5

JORDAN RAMIS PC  
Attorneys at Law  
1499 SE Tech Center Place, Ste. 380  
Vancouver, Washington 98683  
Telephone: (360) 567-3900 Fax: (360) 567-3901  
54115-78504 4823-2795-5903.1